

Patent
Attorney Docket No.: P10-1439

REMARKS

Rejections under 35 U.S.C § 103(a)

Claims 1-6, 12-13 and 18-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over European Patent Application No. EP 0 790 143 ("Suzuki") in view of U.S. Patent Application Publication No. 2002/0195185 ("Choi"). Applicant has amended claim 1 to include the limitation that neither the first nor second crown reinforcements are edge plies. Applicant thereby claims a tire that includes, *inter alia*, a first crown reinforcement having cords being high elastic modulus at high stress organic fiber cords, a second crown reinforcement having a ratio τ of the tensile strength at high strain and high temperature to low strain at moderate temperature inferior to 1.5 and a pair of axially spaced edge plies, wherein neither the first nor second crown reinforcements are edge plies. (Claim 1).

To establish a *prima facie* case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 985 (CCPA 1974). All words in a claim must be considered in judging the patentability of that claim against the prior art. *In re Wilson*, 424 F.2d 1382, 1385 (CCPA 1970).

Applicant respectfully asserts that a *prima facie* case of obviousness has not been presented because the cited prior art references fails to teach or suggest all the claim limitations of pending claim 1. Specifically, the cited prior art references fail to teach the first and second crown reinforcements whereby neither are edge plies.

Suzuki discloses first and second crown reinforcements but specifically defines the second crown reinforcement as a pair of axially spaced edge bands (9B). Since Suzuki does not disclose two crown reinforcements, wherein neither the first nor second crown reinforcements are edge plies, Suzuki does not teach each and every limitation claimed by Applicant.

Since all claim limitations must be taught or suggested by the cited prior art to establish a *prima facie* case of obviousness, Applicant respectfully asserts that a *prima facie* case of obviousness has not been presented. Reconsideration and withdrawal of the rejection of independent claim 1, as amended, is requested as well as for all claims depending therefrom.